



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

Am

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,424	06/29/2001	Preston J. Hunt	P 0297168 P11163	5293

27496 7590 06/03/2005

PILLSBURY WINTHROP SHAW PITTMAN LLP
725 S. FIGUEROA STREET
SUITE 2800
LOS ANGELES, CA 90017

EXAMINER

JAROENCHONWANIT, BUNJOB

ART UNIT	PAPER NUMBER
2143	

DATE MAILED: 06/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/893,424	HUNT, PRESTON J.
	Examiner	Art Unit
	Bunjob Jaroenchonwanit	2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 2/24/05.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,3-9,12-23,25,26,28 and 29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1,3-9,12-23,25,26,28 and 29 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. In response to the amendment filed 02/24/05. The amendment and argument have been reviewed. Claims 2, 11, 24 and 27 are canceled. Claims 1, 10, 22, 26, 28 and 29 are amended to include the language of claims 2, 11, 24 and 27.
2. Claims 1, 3-10, 12-23, 25, 26, 28 and 29 are pending for further examination. The rejection cited are as stated below.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 11, 3-10, 12-23, 25, 26, 28 and 29 are rejected under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Woods et al (US 2002/0087692).
5. Regarding claims 1, 3, 6-8, 10, 16-18, 20, 22-24 and 26-29, Woods discloses a method and apparatus for accessing web site via intervening control layer, which comprising, insertion of intervening layer, i.e., monitoring layer between Winsock and TCP stack. The intervening layer intercepts, e.g., capturing, extracting, URL form traffic; determining whether the URL is in predetermined category in a database or URL cache, as permissible content. Determining whether URL, is permissible would require content determination concept, (Fig 2-200; paragraph 9-10). The aforementioned implied teaching of monitoring network traffic by a network interface; filtering network address. Woods discloses web address is categorized based on content (paragraph 25). Further, claims' language required a categorizing mechanism, i.e., intervening or monitoring layer 212, Fig. 2(a); categorizes an extracted web address, i.e., URL is

intercepted from traffic by the monitoring layer and store in database or cache. Woods teaches categorizing is based on content of a web page associated with the web address, by correlating URL with predetermined content, which is represented by referenced address, in the database or cache. Examiner recognized that applicant's teaching in the specification might be different from Woods's teaching but claim's language that must be addressed. Woods teaches the web content that determined unsuitable is referenced and stored in either URL cache or database in a server, is clearly represented categorizing URL based on web content. Woods' paragraph 3 teaches unsuitable content that must be prevented from user(s). Paragraph 5, teaches deficiency of the prior system, paragraph 7, teaches basic mechanism, particular intervening layer or monitoring mechanism, which is so called "categorizing mechanism". Paragraphs 9-10 teach URL is being intercepted, i.e., extracted, from traffic. Paragraph 22, teaches content is referenced by URL. Paragraph 24 teaches the system includes intervening layer intercepts the URL to determine whether the content at the URL is permissible.

6. Regarding claim 4, Woods teaches user review web address and restricts a second user from surfing the site (paragraph 25 clearly teaches determining the restriction imposed on any number of users).

7. Regarding claims 5, 13-15, 19, 21, Woods discloses the invention substantially, as claimed, as described in claim 1, but does not explicitly state the type of network and network devices, such as any one an Internet tablet, a palm computing device, a cell phone, and a TV-based Internet device, Intranet, wireless or Home network. Official Notice is taken (see MPEP 2144.03) any or all of the aforementioned device was well known and widely used the same application in the art at the time of the invention was made. Thus, it would have been obvious to

one of ordinary skill in the art at the time of the invention was made to include the devices which nearly recognized as a standard of increasing mobility in the Internet Environment. Because not including such devices therein, would generate negative impact for in market process of the final product.

8. Regarding claims 9, Woods discloses the invention substantially, as claimed, as described, including, but it is silent to displaying web addresses is a drop-down menu. Official Notice is taken (see MPEP 2144.03) implementation of drop down menu containing web addresses was well known and widely used in the art. For instance, in every conventional browser, e.g., Netscape, Internet explorer, such concept is used for Book-Marking web site and later presenting in drop down menu to eliminate, user from, remembering web site addresses, which is a simplistic and convenience way in web navigational. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the convention inventive concept of drop down menu, including web addresses, with any system that dealing web navigation in order to simplify navigation over the Internet.

9. Regarding claim 12, Woods discloses the invention substantially, as claimed, as described in claim 10 but Woods is silent to an ability of having user enable monitoring. However changing automatically process to manually process would have been obvious to one of ordinary skill in the art at the time of the invention was made that was a matter of choice.

Further, the court held that broadly providing an automatic or mechanical means to replace a manual activity, which accomplished the same result, is not sufficient to distinguish over the prior art. *In re Venner*, 262 F.2d 91, 95, 120 USPQ 193, 194 (CCPA 1958). (See MPEP 2144.04.III).

10. Regarding claims 25, Woods discloses a software agent on a client (Fig 2D).
11. Applicant's arguments filed 2/24/05 have been fully considered but they are not persuasive. In the remark applicant argued that Woods does not teach "categorizing, by categorizing mechanism, the extracted web address based at least in part on content of a webpage associated with each of the web address." As aforementioned in the rejection to claim 1, the teaching in cited paragraphs, above, is equivalent to applicant's disclosure, paragraphs 12 Page 3, and 18 Page 5, paragraph 28, Page 8, which examiner considered, teachings that support claims' language as amended, since none has been provided by the applicant.

Examiner notes; there is some distinction between how applicant's categorizing web address and Woods. Applicant's inventive concept is scanning metatags of the web content, whereas Woods, comparison URL with predetermined category of content referenced address, (applicant spec. paragraph 28). However, claims' language as amended does not require specific feature such as scanning metatags of web content, and is limited to observing extracted URL. It does not require the web content to be accessed and observed metatags, which could clearly overcome Woods' teaching. Thus, the amended claims' language in not exclusive features to Woods's teaching.

12. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bunjob Jaroenchonwanit whose telephone number is (571) 272-3913. The examiner can normally be reached on 8:00-17:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Bunjob Jaroenchonwanit
Primary Examiner
Art Unit 2143

/bj
11/20/04